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# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/799,570
		Filing Date	03-12-2004
		First Named Inventor	Snow et al.
		Group Art Unit	
		Examiner Name	
Total Number of Pages in This Submission		Attorney Docket No.	0272.INNO.CT1.CI

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief <input type="checkbox"/> Assignment with Cover Sheet <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Check in the amount of \$__ <input type="checkbox"/> Credit card authorization in the amount of \$__ <input type="checkbox"/> Declaration & Power of Attorney <input type="checkbox"/> Drawings __ sheets <input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Extension of Time Request ____ month <input type="checkbox"/> Fee Calculation Table <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form 1449 <input checked="" type="checkbox"/> Copies of IDS References <input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input type="checkbox"/> Maintenance Fee Transmittal ____ year <input type="checkbox"/> Missing Parts Response <input type="checkbox"/> Notification of Change of Attorney Address & Docket Number <input checked="" type="checkbox"/> Return Postcard <input type="checkbox"/> Revocation & Power of Attorney <input type="checkbox"/> Status Inquiry <input type="checkbox"/> Other:
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY OR AGENT			
Attorney for Applicant		Randall B. Bateman, Registration No. 37,774 4 Triad Center, Suite 825 P. O. Box 1319 Salt Lake City, Utah 84110 (801) 533-0320 telephone; (801) 533-0323 facsimile	
Signature		Date	3/30/04

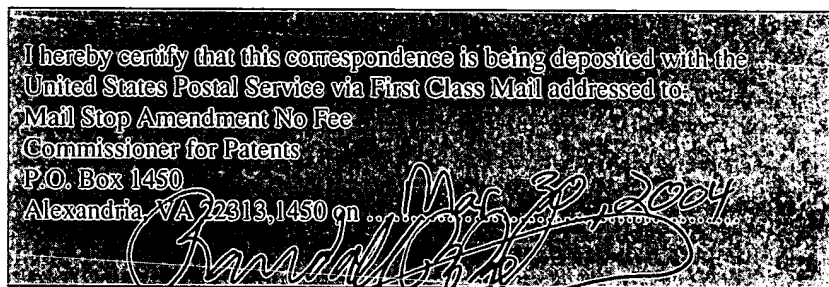
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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addresses to Mail Stop Amendment - No Fee, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.			
Typed or Printed Name		Randall B. Bateman	
Signature		Date	3/30/04



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Snow et al.  
SERIAL NO: 10/799,570  
FILED: March 12, 2004  
FOR: INHALATION ACTUATED DEVICE FOR USE WITH METERED  
DOSE INHALERS (MDIs)  
ART UNIT:  
EXAMINER:  
DOCKET NO: 0272.INNO.C11.CI

Mail Stop Amendment No Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313,1450



SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT  
UNDER 37 C.F.R. § 1.97 (c)(2)

Dear Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). Applicant respectfully submits that this Supplemental Information Disclosure Statement is filed pursuant to 37 C.F.R. § 1.97 (b), within 3 months of the date of filing. Applicant requests that the references cited in the enclosed Form PTO-1449 be made of record in the above referenced application. While no representation is made that any of these references may be "prior art" within the

meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed list of references is disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the references listed, together with any other references which may have been previously submitted or listed, are the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

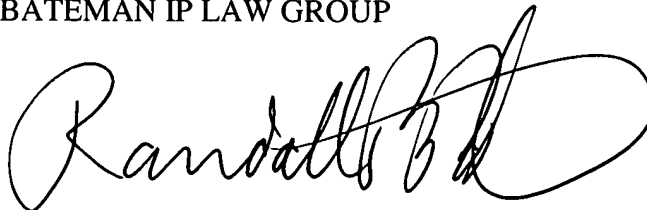
In accordance with 37 C.F.R. §§ 1.97 and 1.98, a copy of each listed reference (or relevant portion thereof) which is not a U.S. Patent and which was not previously submitted to, or cited by, the Patent Office is also enclosed.

Any references that are not in English are accompanied by a concise explanation in English of their relevance as is required under 37 C.F.R. § 198(a)(3)(i).

Please charge any amount owing or credit any overpayment to Deposit Account No. 50-0270.

Dated this 30 day of March, 2004.

Respectfully Submitted,  
BATEMAN IP LAW GROUP

A handwritten signature in black ink, appearing to read "Randall B. Bateman", with a large, stylized loop at the end.

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# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Complete if Known

Application Number	10/799,570
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First Named Inventor	Snow, et al.
Group Art Unit	
Examiner Name	
Attorney Docket	0272.INNO.CI1.CI

## U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		491,426	02-07-1983	J.H.L. Holcombe	5
		3,565,070	02-23-1971	Dale B. Hanson, et al.	8
		3,598,294	08-10-1971	Nathan D. Hendrick, et al.	9
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		4,664,107	05-09-1985	Anthony C. L. Wass	11
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		4,877,989	01-12-1989	Wolf-Dietrich Drews, et al.	8
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		5,119,806	12-14-1989	Richard C.J. Palson, et al	18
		5,217,004	12-13-1990	William Blasnik, et al.	11

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Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
		5,249,947	04-22-1991	Yoshiharu Inaba, et al.	86
		5,327,883	05-20-1991	David R. Williams, et al.	9
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		5,752,505	04-18-1997	Hisatomo Ohki, et al.	18
		5,769,073	06-22-1995	Stephen William Eason	18

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<b>Application Number</b>	<b>10/799,570</b>
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<b>First Named Inventor</b>	<b>Snow, et al.</b>
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket</b>	<b>0272.INNO.CI1.CI</b>

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## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T*
		Country Code <sup>2</sup> - Number <sup>3</sup> - Kind Code <sup>3</sup> (if known)				
		WO 93/12831	07-08-1993	Boehringer Ingelheim Int.	22	
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Considered

\*EXAMINER: Initial if reference considered, whether or not citation in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the